

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

UNITED STATES OF AMERICA and
MICHAEL FILICE, Revenue Officer,
Petitioners,
v.
CHUK FU CHOW,
Respondent.
No. C-07-2515-MHP
[proposed]
ORDER REQUIRING
RESPONDENT CHUK FU CHOW
TO APPEAR BEFORE THIS
COURT ON DECEMBER 17, 2007

This matter came before the Court on November 19, 2007, upon the Court's Order Finding Respondent in Contempt dated October 29, 2007.

On July 31, 2007, the Court entered its Order Enforcing Summons in this matter. Mr. Chow, who has not appeared at any of the court proceedings concerning the enforcement of the IRS summons at issue, has yet to produce the documents or give the testimony ordered by the Court in the Order Enforcing Summons.

Due to respondent's failure to comply with the Order Enforcing Summons, the petitioners filed an Application For Entry of Order to Show Cause Re: Contempt on August 16, 2007. On August 24, 2007, this Court ordered respondent to appear and show cause, if any, why he should not be held in contempt for his failure to comply with the Court's Order Enforcing Summons.

On October 29, 2007, the show cause hearing was held and this court held Mr. Chow in contempt. This Court also entered a fine of \$500 per day against Mr. Chow until he complies

1 with the summons. This Court also ordered Mr. Chow to appear before it on November 19,
2 2007, if he failed to comply with the summons and Order Enforcing Summons by that date, and
3 then and there show cause why he should not be imprisoned until he complies the summons and
4 Order.

5 Despite a great length of time and numerous opportunities, Mr. Chow has not complied
6 with the summons, the Order Enforcing Summons, or the Order Finding Respondent in
7 Contempt.

8 The Court having considered the record herein, it is hereby

9 **ORDERED** that respondent Chuk Fu Chow shall appear in person before this Court on
10 December 17, 2007, at 3:00 p.m., at the United States Courthouse, 450 Golden Gate Avenue,
11 Courtroom 15, 18th Floor, San Francisco, California and then and there provide the summonsed
12 records and give the required testimony and then and there show cause why he should not be
13 imprisoned until he complies with the Court's Order Enforcing Summons.

14 **ORDERED** this _____ day of _____, 2007 at San Francisco, California.

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17 UNITED STATES DISTRICT JUDGE
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1 **CERTIFICATE OF SERVICE**

2 I, KATHY TAT declare:

3 That I am a citizen of the United States of America and employed in San Francisco
 4 County, California; that my business address is Office of United States Attorney, 450 Golden
 5 Gate Avenue, Box 36055, San Francisco, California 94102; that I am over the age of eighteen
 6 years, and am not a party to the above-entitled action.

7 I am employed by the United States Attorney for the Northern District of California and
 8 discretion to be competent to serve papers. The undersigned further certifies that I caused a copy
 9 of the following:

10 **[proposed] ORDER REQUIRING RESPONDENT CHUK FU CHOW TO APPEAR
 BEFORE THIS COURT ON DECEMBER 17, 2007**

11 to be served this date upon the party(ies) in this action by placing a true copy thereof in a sealed
 12 envelope, and served as follows:

13 **FIRST CLASS MAIL** by placing such envelope(s) with postage thereon fully prepaid in
 14 the designated area for outgoing U.S. mail in accordance with this office's practice.

15 **PERSONAL SERVICE (BY MESSENGER/HAND DELIVERED)**

16 **FACSIMILE (FAX) No.:** _____

17 to the parties addressed as follows:

18 Chuk Fu Chow
 19 341 San Fernando Way
 20 San Francisco, CA 94127

21 I declare under penalty of perjury under the laws of the United States that the foregoing is
 22 true and correct.

23 Executed on November 19, 2007 at San Francisco, California.

25 /s/ Kathy Tat
 26 **KATHY TAT**